



08-11-04

JFW RCE

Atty. Dkt. No. 355908-1951

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: David E. SPANER
Title: INHIBITION OF GRAFT
VERSUS HOST DISEASE
Appl. No.: 09/853,755
Appl. Filing Date: May 14, 2001
Examiner: G. Ewoldt
Art Unit: 1644

CERTIFICATE OF EXPRESS MAILING
I hereby certify that this correspondence is being deposited with the United States Postal Service's "Express Mail Post Office To Addressee" service under 37 C.F.R. § 1.10 on the date indicated below and is addressed to: Mail Stop RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

EV 464449107 US August 9, 2004
(Express Mail Label Number) (Date of Deposit)

Rene Campos
(Printed Name)

(Signature)

REQUEST FOR CONTINUED EXAMINATION (RCE)
TRANSMITTAL

Mail Stop RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application. This RCE and the enclosed items listed below are being filed prior to the earliest of: (1) payment of the issue fee (unless a petition under 37 C.F.R. § 1.313 is granted); (2) abandonment of the application; or (3) the filing of a notice of appeal to the U.S. Court of Appeals for the Federal Circuit under 35 U.S.C. §141, or the commencement of a civil action under 35 U.S.C. §145 or §146 (unless the appeal or civil action is terminated).

1. Submission required under 37 C.F.R. §1.114: (check items that apply)

a. Previously submitted:

[X] Please enter and consider the amendment/reply previously filed on June 10,
2004.

08/12/2004 AWONDAF1 00000095 09853755

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385.00 OP

- ☐ Please consider the Affidavit(s)/Declaration(s) previously filed on __ but not considered.
- ☐ Please consider the arguments in the Appeal Brief or Reply Brief under 37 C.F.R. § 1.116 previously filed on __.
- ☐ Other __.

b. Enclosed are:

- ☐ Amendment/Reply.
- ☐ Affidavit(s)/Declaration(s).
- ☐ Information Disclosure Statement.
- ☐ Form PTO-1449 with copies of __ listed reference(s).
- ☐ Other .

Miscellaneous:

- ☐ Suspension of action of the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of __ months.

The filing fee is calculated below:

| | Claims as Amended | Previously Paid For | Extra Claims Present | Rate | Fee Totals |
|--|-------------------|---------------------|----------------------|------------|------------|
| RCE Fee 1.17(e): | | | | \$770.00 | = \$770.00 |
| Total Claims: | 2 | - 20 | =0 | x \$18.00 | = \$0.00 |
| Independents | 2 | - 3 | =0 | x \$86.00 | = \$0.00 |
| First presentation of any Multiple Dependent Claims: | | | | + \$290.00 | = \$0.00 |
| CLAIMS FEE TOTAL: | | | | | = \$770.00 |

- ☐ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for the total number of months checked below:

| | | | |
|-------------------------------------|---|------------|----------|
| <input type="checkbox"/> | Extension for response filed within the first month: | \$110.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the second month: | \$420.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the third month: | \$950.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fourth month: | \$1,480.00 | \$0.00 |
| <input type="checkbox"/> | Extension for response filed within the fifth month: | \$2,010.00 | \$0.00 |
| EXTENSION FEE SUBTOTAL: | | | \$0.00 |
| EXTENSION FEE ALREADY PAID: - | | | \$0.00 |
| EXTENSION FEE TOTAL | | | \$0.00 |
| CLAIMS AND EXTENSION FEE TOTAL: | | | \$770.00 |
| <input checked="" type="checkbox"/> | Small Entity Fees Apply (subtract ½ of above): | | \$385.00 |
| <input type="checkbox"/> | Suspension of action requested under 37 C.F.R. § 1.103(c) | | \$0.00 |
| TOTAL FEE: | | | \$385.00 |

☐ Please charge Deposit Account No. 50-0872 in the amount of \$385.00. A duplicate copy of this transmittal is enclosed.

☒ A check in the amount of \$385.00 to cover the filing fee is enclosed.

☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date 8-9-04

FOLEY & LARDNER LLP
Customer Number: 38706
Telephone: (650) 856-3703
Facsimile: (650) 856-3710

By Gerald F. Swiss

Gerald F. Swiss
Attorney for Applicant
Registration No. 30,113